

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS**

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DISTRICT OF MASS

**LEXINGTON INSURANCE COMPANY  
and NATIONAL UNION FIRE  
INSURANCE COMPANY OF  
PITTSBURGH,**

Plaintiffs

v.

**VIRGINIA SURETY COMPANY, INC.,**

Defendant.

**CIVIL ACTION No. 04-11109 RGS**

**AFFIDAVIT OF BRENDA BOUYER-WINDLEY  
IN SUPPORT OF PLAINTIFFS' MOTION FOR MODIFICATION  
OF THE SCHEDULING ORDER  
AND AN ORDER LIMITING DISCOVERY**

I, Brenda Bouyer-Windley, upon oath depose and state as follows:

1. I am employed by Risk Specialists Company of New York, Inc. ("RSC"), a licensed surplus lines broker. In this capacity, RSC places business with National Union Fire Insurance Company of Pittsburgh, Pennsylvania ("National Union"), and Lexington Insurance Company ("Lexington"), plaintiffs in the above-captioned matter. As part of my duties, I am responsible for maintaining underwriting files relating to National Union's and Lexington's participation in a program with an insurance broker, National Program Services, Inc. ("NPS"), pursuant to which National Union and Lexington issued certain liability insurance policies in the years 2000, 2001 and 2002, to various real estate owners and property managers who were members of the National Coalition of Property Owners and Managers/Insurance Purchasing Group Association ("NCPO"). I am also responsible for maintaining files related to National Union and Lexington

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the of foregoing Affidavit of Brenda Bouyer-Windley in Support of Plaintiff's Motion for Modification of the Scheduling Order and an Order Limiting Discovery has been served upon all counsel of record by mailing a copy hereof, postage prepaid, addressed to:

Joseph Blute, Esq.  
**Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C.**  
One Financial Center  
Boston, MA 02111

**DATED** this 12<sup>th</sup> day of April, 2005.

  
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Mark E. Cohen